

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

AMERICAN AIRLINES, INC.,

Plaintiff,

v.

SKIPLAGGED, INC.,

Defendant.

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Civil Action No. 4:23-cv-00860-P

DEFENDANT SKIPLAGGED, INC.'S WITNESS LIST FOR TRIAL

Pursuant to the Court's *Scheduling Orders*, Defendant, Skiplagged, Inc. ("Skiplagged"), hereby submits its *Witness List* as an attachment hereto.

Skiplagged's *Witness List* is submitted without prejudice to Skiplagged's right to amend such, to the extent allowed by this Court and the law, or call at trial any additional witnesses from any source either as rebuttal evidence or impeachment or in the event new or different information becomes available. Additionally, Skiplagged reserves the right to amend its list based on the progress of the case at trial. Skiplagged further reserves the right to examine any witness that Plaintiff, American Airlines, Inc., designates and calls.

Respectfully submitted,

By: /s/William L. Kirkman

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ATTORNEYS FOR DEFENDANT,
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 19, 2024, a true and correct copy of the foregoing
was served via the Court's ECF system upon all counsel of record as indicated:

Messrs. Dee J. Kelly, Jr., Lars L. Berg,
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/s/William L. Kirkman

William L. Kirkman

EXHIBIT A**Skiplagged's Witness List**

Name & Address	Category	Deposed	Testimony	Expected Duration	Sworn	Testified
Aktarer Zaman c/o Skiplagged's counsel	Probable Fact witness	Y	Mr. Zaman is expected to testify about information that would be responsive to the allegations in Plaintiff's First Amended Complaint, Skiplagged's history, ownership, business activities, website, collection and display of information, relationships with third parties, customers, financials, and deductions and evidence supporting Defendant's defenses in the case.	3-4 hours		
Gary Gutzler c/o Skiplagged's counsel	Expert	Y	Mr. Gutzler is expected to testify about Plaintiff's alleged damages calculations and opinions and the appropriate costs to back out of Defendant's revenues to arrive at a net profits number as well as the substance and analysis referenced in Mr. Gutzler's expert reports. Mr. Gutzler will also testify as to non-infringing factors to which disgorgement profits sought by Plaintiff may be reduced.	1 hour		
George John c/o Skiplagged's counsel	Expert	Y	Mr. John is expected to testify regarding the work and opinions of Plaintiff's expert Yoram Jerry Wind, the analysis, interpretation, and integrity of survey data as well as the substance and analysis referenced in Mr. John's expert report.	1 hour		
Dan Gellert c/o Skiplagged's counsel	Probable Fact witness	Y	Mr. Gellert may testify about information that would be responsive to allegations made in Plaintiff's First Amended Complaint, Skiplagged's business activities, relationships with third parties, and financials and evidence supporting Defendant's defenses in the case.	1 hour		

Robert Holmes c/o American's counsel	Probable Fact witness: Record custodian / AA's Private Investigat or	Y	Mr. Holmes is expected to testify about offerings through Defendant's website, including, but not limited to, the LitPaks he made, and that were produced by Plaintiff in this litigation.	¾ Hour		
Marcial Lapp/ Corporate Representative of American Airlines, Inc. c/o American's counsel	Probable Fact witness	Y	Mr. Lapp is expected to testify about the claims set forth in Plaintiff's First Amended Complaint, its trademarks and copyrights and uses thereof, its knowledge of Skiplagged's actions, customer interactions, and documents produced by Plaintiff in this litigation, evidence supporting Defendant's defenses in the case, and AA's lack of actual damages associated with its claims.	1 ½ Hours		
Scott Chandler c/o American's counsel	Possible Fact witness	Y	Mr. Chandler is expected to testify about the claims set forth in Plaintiff's First Amended Complaint, its trademarks and copyrights and uses thereof, its knowledge of Skiplagged's actions, customer interactions, and documents produced by Plaintiff in this litigation and evidence supporting Defendant's defenses in the case.	Less Than an Hour		
Neil Geurin c/o American's counsel	Possible Fact witness	Y	Mr. Guerin is expected to testify about the claims set forth in Plaintiff's First Amended Complaint, its trademarks and copyrights and uses thereof, its knowledge of Skiplagged's actions, customer interactions, and documents produced by Plaintiff in this litigation and evidence supporting Defendant's defenses in the case.	Less Than an Hour		

William L. Kirkman	Expert	N	Mr. Kirkman is expected to offer expert testimony regarding attorneys fees and costs in this litigation.			
Aaron Z. Tobin	Expert	N	Mr. Tobin is expected to offer expert testimony regarding attorneys fees and costs in this litigation.			
Darin M. Klemchuk	Expert	N	Mr. Klemchuk is expected to offer expert testimony regarding attorneys fees and costs in this litigation.			
Rebuttal and impeachment witnesses as necessary						